

**NEW**

# Food Code

U.S. Public Health Service



**2013**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service • Food and Drug Administration

College Park, MD 20740

# ILLINOIS FOOD CODE... OUT WITH THE OLD, IN WITH THE NEW!!!

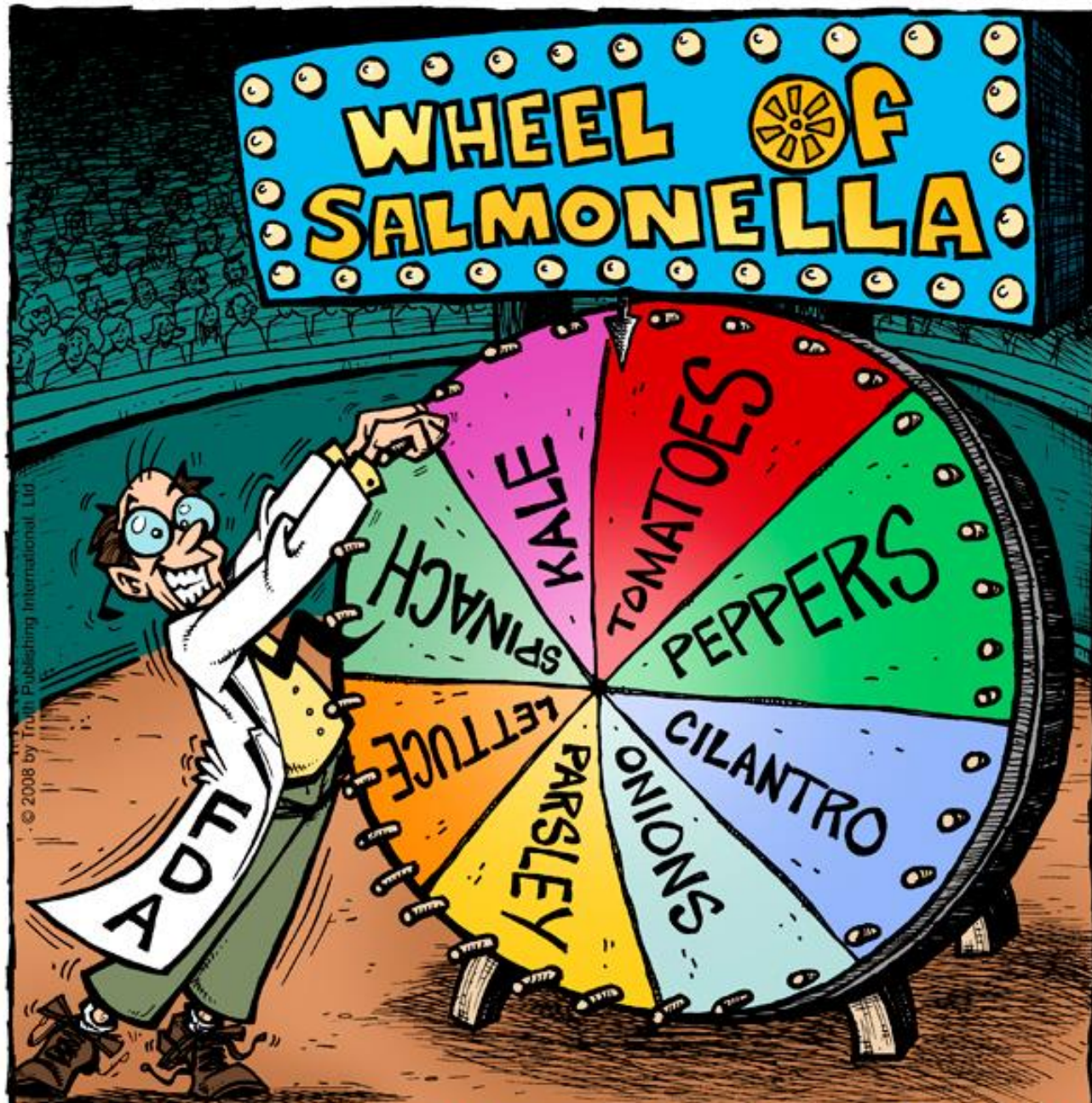
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**SENIOR FOOD PROGRAM SPECIALIST**



**LakeCounty**

Health Department and  
Community Health Center

# COUNTERTHINK - "WHEEL OF SALMONELLA"



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CONCEPT- MIKE ADAMS ART-DAN BERGER [WWW.NATURALNEWS.COM](http://WWW.NATURALNEWS.COM)



# OBJECTIVES

Upon completion of this course, you should be able to identify:

- The intent of the FDA Model Food Code
- 5 Foodborne Illness Risk Factors
- 5 Key Public Health Interventions
- Major additions to the new IL Code (FDA based)
- Portions of the IL Code that remain the same

# WHY THE CHANGE?

- **FDA Food Code is based on current scientific data that is updated regularly**
- **Strives to keep up with changing science, mutating pathogens, new ecological niches, etc.**
- **Inspections and reports will be more uniform throughout the state**
- **Inspections are based on foodborne illness risk factors and good retail practices**

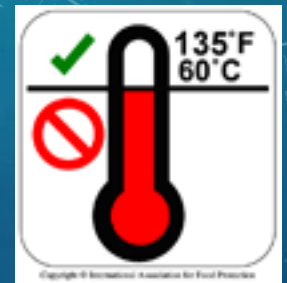


# WHEN & AREAS OF CHANGE?

- July 1, 2018 implementation
- More dialogue with facility operator
- Inspections may take longer
- New Scoring System = greater incentive to improve

# FOODBORNE ILLNESS RISK FACTORS

1. Poor personal hygiene
2. Improper holding temperatures
3. Inadequate cooking
4. Contaminated equipment
5. Food from unsafe sources



# 5 KEY PUBLIC HEALTH INTERVENTIONS

1. **Demonstration of Knowledge**
2. **Employee Health Policy**
3. **Controlling Hands as a Vehicle of Contamination**
4. **Time and Temperature Parameters for Controlling Pathogens**
5. **Consumer Advisory**





# 1. DEMONSTRATION OF KNOWLEDGE

- Foodborne Disease Prevention
- HACCP
- Code Requirements

1. Recognize
2. Prevent
3. Corrective Action



A man with short brown hair and a goatee is standing in front of a red brick wall. He is wearing a white t-shirt and blue jeans. He has a pained expression on his face, with his eyes closed and mouth slightly open. He is clutching his right hand to his lower abdomen, suggesting stomach pain. The t-shirt has a humorous message printed on it in a stylized, outlined font.

**ASK ME ABOUT  
MY EXPLOSIVE  
DIARRHEA**



## 2. EMPLOYEE HEALTH POLICY

- Written policy?

**NEW**

- Sick employees restricted?



- Conditions or symptoms reported?

- Indicators working while ill?



# CLEAN-UP VOMIT & DIARRHEA (EXAMPLES)

**NEW**

## 2-501.11 Clean-up of Vomiting and Diarrheal Events

A FOOD ESTABLISHMENT shall have procedures for EMPLOYEES to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the FOOD ESTABLISHMENT. The procedures shall address the specific actions EMPLOYEES must take to minimize the spread of contamination and the exposure of EMPLOYEES, consumers, FOOD, and surfaces to vomitus or fecal matter. <sup>Pf</sup>

# SPILL KIT (RECOMMENDED...NOT REQUIRED)



# 3. CONTROLLING HANDS AS A VEHICLE OF CONTAMINATION



- Exclude ill employees food handling?
- Handwashing – procedure and adequate?
- Approved, alternate procedure for no bare hand contact?
- Opportunity for hands to be contaminated?

**NEW**



# 4. TIME AND TEMPERATURE PARAMETERS FOR CONTROLLING PATHOGENS

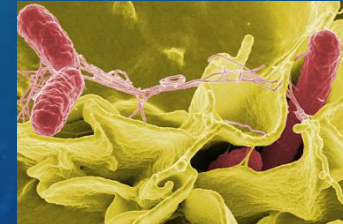
- Thawing



- Cooking



- Hot and Cold Holding



- Cooling

- Reheating



# 5. CONSUMER ADVISORY - SAME

## 3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens.

(A) If an animal FOOD such as beef, EGGS, FISH, lamb, milk, pork, POULTRY, or shellfish is served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, either in READY-TO-EAT form or as an ingredient in another READY-TO-EAT FOOD, the PERMIT HOLDER shall inform CONSUMERS of the significantly increased RISK of consuming such FOODS by way of a DISCLOSURE and REMINDER, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means. <sup>Pf</sup>

(B) DISCLOSURE shall include:

- (1) A description of the animal-derived FOODS, such as “oysters on the half shell (raw oysters),” “raw-EGG Caesar salad,” and “hamburgers (can be cooked to order)”; <sup>Pf</sup> or
- (2) Identification of the animal-derived FOODS by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients. <sup>Pf</sup>

(C) REMINDER shall include asterisking the animal-derived FOODS requiring DISCLOSURE to a footnote that states:

- (1) Regarding the safety of these items, written information is available upon request; <sup>Pf</sup>
- (2) Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness; <sup>Pf</sup> or
- (3) Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness, especially if you have certain medical conditions. <sup>Pf</sup>



GOOD RETAIL PRACTICES									
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.									
Mark "X" in box if numbered item is not in compliance			Mark "X" in appropriate box for COS and/or R			COS=corrected on-site during inspection		R=repeat violation	
			COS	R			COS	R	
<b>Safe Food and Water</b>									
30	Pasteurized eggs used where required				43	In-use utensils: properly stored			
31	Water and ice from approved source				44	Utensils, equipment & linens: properly stored, dried, & handled			
32	Variance obtained for specialized processing methods				45	Single-use/single-service articles: properly stored and used			
<b>Food Temperature Control</b>									
33	Proper cooling methods used; adequate equipment for temperature control				46	Gloves used properly			
34	Plant food properly cooked for hot holding				<b>Utensils, Equipment and Vending</b>				
35	Approved thawing methods used				47	Food and non-food contact surfaces cleanable, properly designed, constructed, and used			
36	Thermometers provided & accurate				48	Warewashing facilities: installed, maintained, & used; test strips			
<b>Food Identification</b>									
37	Food properly labeled, original container				49	Non-food contact surfaces clean			
<b>Prevention of Food Contamination</b>									
38	Insects, rodents, and animals not present				<b>Physical Facilities</b>				
39	Contamination prevented during food preparation, storage and display				50	Hot and cold water available; adequate pressure			
40	Personal cleanliness				51	Plumbing installed; proper backflow devices			
41	Wiping cloths: properly used and stored				52	Sewage and waste water properly disposed			
42	Washing fruits and vegetables				53	Toilet facilities: properly constructed, supplied, & cleaned			
<b>Employee Training</b>									
					54	Garbage & refuse properly disposed; facilities maintained			
					55	Physical facilities installed, maintained, and clean			
					56	Adequate ventilation and lighting; designated areas used			
					<b>Employee Training</b>				
					57	All food employees have food handler training			



# NEW FOOD ESTABLISHMENT INSPECTION REPORT

## (P.1) – FOODBORNE ILLNESS RISK FACTORS

### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item

**IN**=in compliance      **OUT**=not in compliance      **N/O**=not observed      **N/A**=not applicable

Mark "X" in appropriate box for COS and/or R

**COS**=corrected on-site during inspection      **R**=repeat violation

**Risk factors** are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury. Risk factors require immediate correction.

Compliance Status			COS	R
<b>Supervision</b>				
1	IN OUT	Person in charge present, demonstrates knowledge, and performs duties		
2	IN OUT N/A	Certified Food Protection Manager		
<b>Employee Health</b>				
3	IN OUT	Management, food employee and conditional employee; knowledge, responsibilities and reporting		
4	IN OUT	Proper use of restriction and exclusion		
5	IN OUT	Procedures for responding to vomiting and diarrheal events		
<b>Good Hygienic Practices</b>				
6	IN OUT N/O	Proper eating, tasting, drinking, or tobacco use		
7	IN OUT N/O	No discharge from eyes, nose, and mouth		
<b>Preventing Contamination by Hands</b>				
8	IN OUT N/O	Hands clean and properly washed		
9	IN OUT N/A N/O	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed		
10	IN OUT	Adequate handwashing sinks properly supplied and accessible		
<b>Approved Source</b>				
11	IN OUT	Food obtained from approved source		
12	IN OUT N/A N/O	Food received at proper temperature		
13	IN OUT	Food in good condition, safe, and unadulterated		
14	IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction		

Compliance Status			COS	R
<b>Protection from Contamination</b>				
15	IN OUT N/A N/O	Food separated and protected		
16	IN OUT N/A	Food-contact surfaces; cleaned and sanitized		
17	IN OUT	Proper disposition of returned, previously served, reconditioned and unsafe food		
<b>Time/Temperature Control for Safety</b>				
18	IN OUT N/A N/O	Proper cooking time and temperatures		
19	IN OUT N/A N/O	Proper reheating procedures for hot holding		
20	IN OUT N/A N/O	Proper cooling time and temperature		
21	IN OUT N/A N/O	Proper hot holding temperatures		
22	IN OUT N/A N/O	Proper cold holding temperatures		
23	IN OUT N/A N/O	Proper date marking and disposition		
24	IN OUT N/A N/O	Time as a Public Health Control; procedures & records		
<b>Consumer Advisory</b>				
25	IN OUT N/A	Consumer advisory provided for raw/undercooked food		
<b>Highly Susceptible Populations</b>				
26	IN OUT N/A	Pasteurized foods used; prohibited foods not offered		
<b>Food/Color Additives and Toxic Substances</b>				
27	IN OUT N/A	Food additives: approved and properly used		
28	IN OUT N/A	Toxic substances properly identified, stored, and used		
<b>Conformance with Approved Procedures</b>				
29	IN OUT N/A	Compliance with variance/specialized process/HACCP		

# NEW FOOD ESTABLISHMENT INSPECTION REPORT

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				COS	R				
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32		Variance obtained for specialized processing methods				45		Single-use/single-service articles: properly stored and used	
<b>Food Temperature Control</b>						<b>Utensils, Equipment and Vending</b>			
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<b>Food Identification</b>						<b>Physical Facilities</b>			
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						56		Adequate ventilation and lighting; designated areas used	
						57		All food employees have food handler training	

# MAJOR ADDITIONS TO NEW CODE

- **Handwashing Posters**
- **Bare Hand Contact with Ready-to-Eat (RTE) Foods**
- **Vending Machines**
- **Variance for Special Processes - Additives (vinegar), Sprouting (seeds/beans)**
- **Person in Charge (PIC)**
- **Clean Up for Vomit/Diarrheal Events**
- **Fresh Juice Processing at Retail**
- **Food Additives**
- **Produce Washing Chemicals**



# MAJOR ADDITIONS TO NEW CODE

- Food Handler Training (#57)
- Slacking – new definition
- Time Temperature Control for Safety (TCS) – not PHF  
(new pH &  $A_w$  determinants & Cut Leafy Greens)
- Parasite Destruction and Record Keeping  
(raw, raw-marinated, partially cooked, or marinated-partially cooked fish)
- Wild Mushrooms – new
- Food Establishment – added Transport Vehicles
- Returning Refillables
- Poisonous or Toxic Material Containers

# HANDWASHING SIGNAGE

## NOTICE

Employees Must  
Wash Hands  
Before  
Returning  
to Work.



## NOTICE

**EMPLOYEES  
MUST WASH HANDS**



***Before  
Returning  
to Work***

As per Utah Administrative Code Section 6-301.14

## 6-301.14 Handwashing Signage.

A sign or poster that notifies food employees to wash their hands shall be provided at all handwashing sinks used by food employees and shall be clearly visible to food employees.

# 3-301.11 PREVENTING CONTAMINATION FROM HANDS

(E) *FOOD EMPLOYEES not serving a HIGHLY SUSCEPTIBLE POPULATION may contact exposed, READY-TO-EAT FOOD with their bare hands if:*

(1) *The PERMIT HOLDER obtains prior APPROVAL from the REGULATORY AUTHORITY;*

(2) *Written procedures are maintained in the FOOD ESTABLISHMENT and made available to the REGULATORY AUTHORITY upon request that include: (a) For each bare hand contact procedure, a listing of the specific READY-TO-EAT FOODS that are touched by bare hands, (b) Diagrams and other information showing that handwashing facilities, installed, located, equipped, and maintained as specified under §§ 5-203.11, 5-204.11, 5-205.11, 6-301.11, 6-301.12, and 6-301.14, are in an easily accessible location and in close proximity to the work station where the bare hand contact procedure is conducted;*

(3) *A written EMPLOYEE health policy that details how the FOOD ESTABLISHMENT complies with §§ 2-201.11, 2-201.12, and 2-201.13 including: (a) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge that they are informed to report information about their health and activities as they relate to gastrointestinal symptoms and diseases that are transmittable through FOOD as specified under ¶ 2-201.11(A), (b) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge their responsibilities as specified under ¶ 2-201.11(E) and (F), and (c) Documentation that the PERSON IN CHARGE acknowledges the responsibilities as specified under ¶¶ 2-201.11(B), (C) and (D), and §§ 2-201.12 and 2-201.13;*

(4) *Documentation that FOOD EMPLOYEES acknowledge that they have received training in: (a) The RISKS of contacting the specific READY-TO-EAT FOODS with bare hands, (b) Proper handwashing as specified under § 2-301.12, (c) When to wash their hands as specified under § 2-301.14, (d) Where to wash their hands as specified under § 2-301.15, (e) Proper fingernail maintenance as specified under § 2-302.11, (f) Prohibition of jewelry as specified under § 2-303.11, and (g) Good hygienic practices as specified under §§2-401.11 and 2-401.12;*

(5) *Documentation that hands are washed before FOOD preparation and as necessary to prevent cross contamination by FOOD EMPLOYEES as specified under §§ 2-301.11, 2-301.12, 2-301.14, and 2-301.15 during all hours of operation when the specific READY-TO-EAT FOODS are prepared;*

(6) *Documentation that FOOD EMPLOYEES contacting READYTO-EAT FOOD with bare hands use two or more of the following control measures to provide additional safeguards to HAZARDS associated with bare hand contact: (a) Double handwashing, (b) Nail brushes, (c) A hand antiseptic after handwashing as specified under § 2-301.16, (d) Incentive programs such as paid sick leave that assist or encourage FOOD EMPLOYEES not to work when they are ill, or (e) Other control measures APPROVED by the REGULATORY AUTHORITY; and*

(7) *Documentation that corrective action is taken when Subparagraphs (E)(1) -(6) of this section are not followed.*



# VENDING MACHINES – 23, 37, 47, 54, 55

3-305.13 - Vended Time/Temperature Control for Safety Food, Original Container

3-501.18 - Ready-to-Eat, Time/Temperature Control for Safety Food, Disposition

4-204.14 - Vending Machine, Vending Stage Closure

4-204.19 - Can Openers on Vending Machines

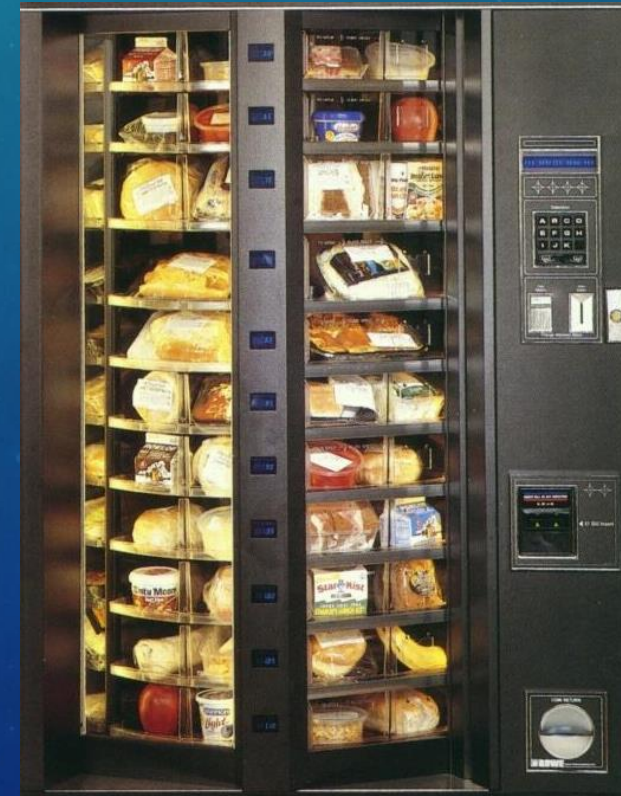
4-204.111 - Vending Machines, Automatic Shutoff

4-204.121 - Vending Machines, Liquid Waste Products

4-204.123 - Vending Machine Doors and Openings

5-501.14 - Receptacles in Vending Machines

6-202.17 - Outdoor Food Vending Areas, Overhead Protection



# 23. PROPER DATE MARKING AND DISPOSITION

This item would be IN compliance when there is a system in place for date marking all foods that are required to be date marked and is verified through observation. If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating. The regulatory authority must be aware of food products that are listed as exempt from date marking. For disposition, mark IN when foods are all within date marked time limits or food is observed being discarded within date marked time limits or OUT of compliance, such as when date marked food exceeds the time limit or date-marking is not done.





# 37. FOOD PROPERLY LABELED; ORIGINAL CONTAINER

Packaged foods are required to conform to specific labeling laws. Foods packaged within the food establishment must also conform to the appropriate labeling laws, with considerations given to accuracy as well as not being misleading. In addition, all major food allergens, if present, must be accurately declared on the package.





# 47. FOOD AND NON-FOOD-CONTACT SURFACES CLEANABLE, PROPERLY DESIGNED, CONSTRUCTED AND USED

The components in a vending machine must be properly designed to facilitate cleaning and protect food products (e.g., equipped with automatic shutoff, etc.) from potential contamination. Equipment must be properly used and in proper adjustment, such as calibrated food thermometers.



# 54. GARBAGE/REFUSE PROPERLY DISPOSED; FACILITIES MAINTAINED

The assessment of the refuse collection and disposal areas for proper receptacles and maintenance is necessary to determine whether a violation exists. Since refuse areas may attract and harbor insects and pests, as well as create a public health nuisance, particular attention must be paid to the maintenance of the refuse facilities and area.





# 55. PHYSICAL FACILITIES INSTALLED, MAINTAINED, AND CLEAN

Observations are made of the overall conditions or practices related to the physical facility (e.g., materials used, good repair, and maintained). It is important to make an overall assessment of the physical facility conditions to determine the level of compliance and the potential public health impact involved if compliance is not met.





# VARIANCE FOR SPECIAL PROCESSES

## 3-502.11 Variance Requirement

Specific food processes that require a variance have historically resulted in more foodborne illness than standard processes. They present a significant health risk if not conducted under strict operational procedures. These types of operations may require the person in charge and food employees to use specialized equipment and demonstrate specific competencies. The variance requirement is designed to ensure that the proposed method of operation is carried out safely.

# 3-502.11 VARIANCE REQUIREMENT

A food establishment shall obtain a variance from the regulatory authority as specified in § 8-103.10 and under § 8-103.11 before: <sup>Pf</sup>

- (A) Smoking food as a method of food preservation rather than as a method of flavor enhancement; <sup>Pf</sup>
- (B) Curing food; <sup>Pf</sup>
- (C) Using food additives or adding components such as vinegar: <sup>Pf</sup>
  - (1) As a method of food preservation rather than as a method of flavor enhancement, <sup>Pf</sup> or
  - (2) To render a food so that it is not time/temperature control for safety food; <sup>Pf</sup>
- (D) Packaging time/temperature control for safety food using a reduce oxygen packaging method *except where the growth of and toxin formation by Clostridium botulinum and the growth of Listeria monocytogenes are controlled*; <sup>Pf</sup>
- (E) Operating a molluscan shellfish life-support system display tank used to store or display shellfish that are offered for human consumption; <sup>Pf</sup>
- (F) Custom processing animals that are for personal use as food and not for sale or service in a food establishment; <sup>Pf</sup>
- (G) Preparing food by another method that is determined by the regulatory authority to require a variance; <sup>Pf</sup> or
- (H) Sprouting seeds or beans. <sup>Pf</sup>

## 29. COMPLIANCE WITH VARIANCE, SPECIALIZED PROCESS, REDUCED OXYGEN PACKAGING CRITERIA OR HACCP PLAN

**NOTE:** Except for fish a HACCP plan is not required when a TCS food is packaged using a ROP method and is labeled with production time and date, held at required cold holding temperature, and removed from ROP packaging within 48 hours after packaging at the food establishment.

- **Direct observations of food preparation and storage**
- **A discussion with the PIC to determine if there are specialized food processes**  
  
(i.e. smoking food, curing food, reduced oxygen packaging, using food additives to render a food so that it is not TCS food, cook chill, sous vide, treating/retail juice, etc.)
- **Record review of standard operating procedures**
- **HACCP documentation**



# PERSON IN CHARGE (PIC) - RESPONSIBILITY

2.101.11

750.540

- Designates a Person in Charge (PIC)
- PIC present at establishment during all hours of operation
- All food service establishments (except category 3) shall be under the operational supervision of a food service sanitation manager.



# PERSON IN CHARGE (PIC) - KNOWLEDGE

## 2-102.11

**PIC shall demonstrate knowledge of foodborne disease prevention, HACCP principles and Code requirements**

**Three ways (only one required):**

- 1. Compliance**
- 2. Q&A / Dialogue**
- 3. Certification (accredited)**

# PERSON IN CHARGE (PIC) - KNOWLEDGE

- **Prevention of foodborne diseases**
- **Personal hygiene & sanitation practices**
- **Major food allergens and symptoms**
- **Time/Temperature relationships**
- **Reporting requirements for PICs, food employees and conditional employees**



# PERSON IN CHARGE (PIC) - KNOWLEDGE

The person in charge shall demonstrate knowledge

- By describing foods identified as major food allergens
- The symptoms that a major food allergens could cause in a sensitive individual who has an allergic reaction

# MONOSODIUM GLUTAMATE (MSG) IS A MAJOR FOOD ALLERGEN?

1.True

2.False

[www.foodallergy.org](http://www.foodallergy.org)

- Food Allergy Training Guide for Restaurants and Food Services
- The Food Allergy & Anaphylaxis Network

[www.class.ucanr.org](http://www.class.ucanr.org)

- FDA~ORAU online “Food Allergens” training module – free to any interested users
- University of California –Davis (host for FDA)

# 8 MAJOR FOOD ALLERGENS

1. Milk
2. Egg
3. Fish (such as Bass, Flounder, or Cod)
4. Crustacean shellfish (such as crab, lobster or shrimp)
5. Tree nuts (such as almonds, pecans, or walnuts)
6. Wheat
7. Soybeans
8. Peanuts





# PERSON IN CHARGE (PIC) - DUTIES

- Operations are not in a private home / living quarters
- Authorized personnel only in food prep, storage & dish wash areas
- Employees & other persons (delivery/PCO) comply with Code
- Handwashing & monitoring
- Inspection per receiving, approved source, temperature
- Proper cooking temperatures & cooling procedures
- Customers informed of consumer advisory (raw/partially cooked)
- Employees properly sanitizing equipment & utensils
- Employees properly trained and aware of employee health policy

# PERSON IN CHARGE (PIC) - DUTIES

- Food employees and conditional employees\* are informed of their responsibility to report in accordance with law, to the person in charge, information about their health and activities as they relate to diseases that are transmissible through food.
- \*How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and other Food Service Employers
  - [http://www.eeoc.gov/facts/restaurant\\_guide.html](http://www.eeoc.gov/facts/restaurant_guide.html)

# HOW TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT: A GUIDE FOR RESTAURANTS AND OTHER FOOD SERVICE EMPLOYERS

## How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers

### [Summary of this Guide](#)

### Introduction

The Americans with Disabilities Act (ADA) is a federal civil rights law that applies to people with disabilities and protects them from discrimination. The Equal Employment Opportunity Commission (EEOC), a Federal government agency, enforces the sections of the ADA that prohibit employment discrimination. This Guide explains these ADA employment rules for the food service industry.

The ADA is important to food service employers and employees. Food service employers must avoid discriminating against people with disabilities while obeying strict public health rules. Food service workers with disabilities have rights under the ADA when applying for jobs or when working for a restaurant, cafeteria, or other food service employer.

This Guide has three parts: (1) basic information about the ADA; (2) an explanation of the relationship between the ADA and the FDA Food Code [\(1\)](#); and (3) a discussion of the ADA's rules that prohibit employment discrimination against qualified people with disabilities.

### General Information About the ADA

#### 1. What is the ADA?

The Americans with Disabilities Act is a Federal law that prohibits most employers from discriminating against a qualified person who has a disability.

The EEOC enforces the employment parts of the ADA. The EEOC has more than 50 offices in cities throughout the U.S. and in Puerto Rico.

### Notice Concerning The Americans With Disabilities Act Amendments Act Of 2008

The Americans with Disabilities Act (ADA) Amendments Act of 2008 was signed into law on September 25, 2008 and becomes effective January 1, 2009. Because this law makes several significant changes, including changes to the definition of the term "disability," the EEOC will be evaluating the impact of these changes on this document and other publications. See the [list of specific changes to the ADA](#) made by the ADA Amendments Act.



# FRESH JUICE PROCESSING AT RETAIL

## 3-404.11 TREATING JUICE



Juice packaged in a food establishment shall be:

(A) Treated under a HACCP plan to attain a 5-log reduction, which is equal to a 99.999% reduction, of the most resistant microorganism of public health significance; <sup>P</sup>

or

(B) Labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance: <sup>Pf</sup>

**“WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.”** <sup>Pf</sup>

# FOOD ADDITIVES



## 27. Food additives: approved and properly used

- 3-202.12 Additives
- 3-302.14 Protection from Unapproved Additives

## 37. Food properly labeled; original container

- 3-601.12 Honestly Presented
- Approved food additives are listed and have threshold limits in accordance with the CFRs, and does not apply to food additives that are considered Generally Recognized as Safe (GRAS), such as salt, pepper, etc.
- If sulfites are on the premises, and they are not applied to fresh fruits/vegetables for raw consumption
- Foods packaged within the food establishment must also conform to the appropriate labeling laws, with considerations given to accuracy as well as not being misleading.

# 42. WASHING FRUITS AND VEGETABLES

- Raw fruits and vegetables are to be washed prior to their preparation or offered as RTE.
- Chemicals are allowed for washing fruits and vegetables, along with simply washing them in water. Chemicals that are used in the wash water for fruits and vegetables must be listed and approved with threshold limits in accordance with the CFR's. Refer to the label or labeling of the additive for adequate directions and to assure safe use.
- Discussion with the PIC and food employees will help determine the establishment's practice.

Applicable Code Sections:

3-302.15 Washing Fruits and Vegetables (Pf)





# SUBPART M: FOOD HANDLER TRAINING

Employee Training				
57		All food employees have food handler training		

- 750.3400 General Requirements
- 750.3410 Course Content
- 750.3420 Course Approval
- 750.3430 Requirements for Food Handlers



# SLACKING

The process of moderating the temperature of a food such as allowing a food to gradually increase from a temperature of -10°F to 25°F in preparation for deep-fat frying or to facilitate even heat penetration during the cooking of previously block-frozen food such as shrimp, peas, French fries, etc.



# TIME/TEMPERATURE CONTROL FOR SAFETY FOOD (FORMERLY “POTENTIALLY HAZARDOUS FOOD” (PHF))

- Phasing out the term “Potentially Hazardous Food”
- A food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation
- A food that because of the interaction of its  $A_w$  and pH values is designated as Product Assessment Required (PA) in Table A or B of this definition



# EXAMPLES OF TCS FOODS

- An animal food that is raw or heat-treated
- A plant food that is heat-treated (e.g. open can of green beans)
- Raw seed sprouts
- Cut melons
- Cut leafy greens (e.g. bags of lettuce)
  - Fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn.
  - The term “leafy greens” includes iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard.
  - The term “leafy greens” does not include herbs such as cilantro or parsley
- Cut tomatoes
- Garlic-in-oil mixtures



# TIME/TEMPERATURE CONTROL FOR SAFETY FOOD VS. POTENTIALLY HAZARDOUS FOODS

- pH
- $A_w$
- pH and  $A_w$  Interaction

$A_w$ values	pH: 4.6 or less	pH: > 4.6 - 5.6	pH: > 5.6
$\leq 0.92$	non-TCS FOOD*	non-TCS FOOD	non-TCS FOOD
> 0.92 - 0.95	non-TCS FOOD	non-TCS FOOD	PA**
> 0.95	non-TCS FOOD	PA	PA

Table A

- Heat-treated
- Packaged

Table B

- Not heat-treated or Heat-treated
- Not packaged

$A_w$ values	pH: < 4.2	pH: 4.2 - 4.6	pH: > 4.6 - 5.0	pH: > 5.0
< 0.88	non-TCS food*	Non-TCS food	non-TCS food	non-TCS food
0.88 – 0.90	non-TCS food	non-TCS food	non-TCS food	PA**
> 0.90 – 0.92	non-TCS food	non-TCS food	PA	PA
> 0.92	non-TCS food	PA	PA	PA

# 3-402.11 PARASITE DESTRUCTION

Before service or sale in ready-to-eat form, raw, raw-marinated, partially cooked, or marinated-partially cooked fish shall be:

- Frozen and stored at a temperature of -4°F or below for a minimum of 168 hours (7 days) in a freezer; <sup>P</sup> or
- Frozen at -31°F or below until solid and stored at -31°F or below for a minimum of 15 hours; <sup>P</sup>
- Frozen at -31°F or below until solid and stored at -4°F or below for a minimum of 24 hours. <sup>P</sup>
- Does not apply to:
  - Molluscan shellfish
  - A scallop product consisting only of the shucked adductor muscle
  - Tuna (Yellowfin/Bluefin/Bigeye, Northern/Southern)
  - Aquacultured fish, such as salmon, that:
    - If raised in open water, are raised in net-pens, or
    - Are raised in land-based operations such as ponds or tanks, and
    - Are fed formulated feed, such as pellets, that contains no live parasites infective to the aquacultured fish.
  - Fish eggs that have been removed from the skein and rinsed.





# 3-402.12 RECORDS, CREATION AND RETENTION

- If raw, raw-marinated, partially cooked, or marinated-partially cooked fish are served or sold in RTE form, the PIC shall record the freezing temperature and time to which the fish are subjected and shall retain the records of the food establishment for 90 calendar days beyond the time of service or sale of the fish. <sup>Pf</sup>
- If the fish are frozen by a **supplier**, a written agreement or statement from the supplier stipulating that the fish supplied are frozen to a temperature and for a time may substitute for the records.
- If raw, raw-marinated, partially cooked, or marinated-partially cooked fish are served or sold in RTE form, and the fish are raised and fed per Code
- A written agreement or statement from the **supplier** or aqua culturist stipulating that the fish were raised and fed shall be obtained by the PIC and retained in the records of the food establishment for 90 calendar days beyond the time of service or sale of the fish. <sup>Pf</sup>

# 3-201.16 WILD MUSHROOMS



- Mushroom species picked in the wild shall not be offered for sale or service by a food establishment unless the food establishment has been approved to do so. <sup>P</sup>
- This section does not apply to:
  - Cultivated wild mushroom species that are grown, harvested, and processed in an operation that is regulated by the food regulatory agency that has jurisdiction over the operation; or
  - Wild mushroom species if they are in packaged form and are the product of a food processing plant that is regulated by the food regulatory agency that has jurisdiction over the plant.

# FOOD ESTABLISHMENT

means an operation that:

stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food pantry; and

relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

Food establishment includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

Food establishment does not include an establishment that offers only prepackaged foods that are not time/temperature control for safety foods; a produce stand that only offers whole, uncut fresh fruits and vegetables; a food processing plant including those that are located on the premises of a food establishment; a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests; a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or a cottage food operation.



# 3-304.17 REFILLING RETURNABLES

- A take-home food container returned to a food establishment may be refilled at a food establishment **with food** if the food container is:
  - Designed and constructed for reuse
  - One that was initially provided by the food establishment to the consumer, either empty or filled with food by the food establishment, for the purpose of being returned for reuse;
  - Subject to the following steps before being refilled with food:
    - Cleaned
    - Sanitized
    - Visually inspected by a food employee to verify that the container, as returned, meets the requirements
- A take-home food container returned to a food establishment may be refilled at a food establishment **with beverage** if:
  - The beverage is not a TCS;
  - The design of the container and of the rinsing equipment and the nature of the beverage, when considered together, allow effective cleaning at home or in the food establishment;
  - Facilities for rinsing before refilling returned containers with fresh, hot water that is under pressure and not recirculated are provided as part of the dispensing system;
  - The CONSUMER-owned container returned to the food establishment for refilling is refilled for sale or service only to the same consumer; and
  - The container is refilled by employee or owner of the container of the food establishment

# 7-203.11 POISONOUS OR TOXIC MATERIAL

28. Toxic substances properly identified, stored, and used; held for retail sale, properly stored.

A container previously used to store poisonous or toxic materials may not be used to store, transport, or dispense food.



# A NEW FOOD CODE MEANS...

- A blank slate – everyone starts fresh learning a new code
- FDA Code and Annexes are comprehensive and excellent tools
- A new way of looking at violations
- A new inspection report
- A new way of scoring inspections

*The Food Code sets out FDA's best advice for a uniform system of regulation to help ensure that food provided to consumers by retail food establishments is not a vehicle of communicable diseases, is safe, unadulterated, and honestly presented.*



# ADOPTING

**NEW**

- **2013 FDA Food Code - Chapters 1-7**
  - **Except:**
    - **Food Employee/Establishment Definitions**
    - **Plumbing Fixture/System Definitions**
    - **Certified Food Protection Manager (2-102.12)**
    - **Food Protection Manager Certification (2-102.20)**
    - **Employee Health (2-2)**
    - **Chapter 8 – Compliance and Enforcement**

# ADOPTING

**NEW**

- **Except: (incongruent with IL Plumbing Code)**
  - **Handwashing Sink, Installation** (5-202.12 B & C)
    - (B) A steam mixing valve may not be used at a **HANDWASHING SINK**.
    - (C) A self-closing, slow-closing, or metering faucet shall provide a flow of water for at least **15 seconds** without the need to reactivate the faucet.
- **Handwashing Sinks** (5-203.11 & 5-204.11)
  - Number required by **LAW**
  - Located adjacent to toilet room

# KEEPING/REVISED PART 750

# FOOD SERVICE SANITATION CODE

## 750.10 Definitions



**NEW**

- Assessment of knowledge - means a written or an online evaluation of a student's achievement in a food handler training course.
- Category III, II & I facility



# Category I Facility (High Risk) - NEW

means a food establishment that presents a high relative risk of causing food-borne illness, based on the large number of food handling operations typically implicated in food-borne outbreaks and/or the type of population served by the facility. Category I facilities include those where the following operations occur:

- Potentially hazardous foods are cooled, as part of the food handling operation at the facility;
- Potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;
- Potentially hazardous cooked and cooled foods must be reheated;
- Complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;
- Vacuum packaging, other forms of reduced oxygen packaging, **or other special processes that require a HACCP plan**; or
- Immunocompromised individuals such as the elderly, young children under age four and pregnant women are served, where these individuals compose the majority of the consuming population.

# Category II Facility (Medium Risk)-SAME

means a food establishment that presents a medium relative risk of causing food-borne illness, based upon few food handling operations typically implicated in food-borne illness outbreaks. Category II facilities include those where the following operations occur:

- Hot or cold foods are held at required temperatures for no more than 12 hours and are restricted to same-day services;
- Foods are prepared from raw ingredients, using only minimal assembly; and
- Foods that require complex preparation (whether canned, frozen or fresh prepared) are obtained from approved food-processing plants, high-risk food service establishments or retail food stores.

# Category III Facility (Low Risk) - SAME

means a food establishment that presents a low relative risk of causing food-borne illness, based upon few or no food handling operations typically implicated in food-borne illness outbreaks. Category III facilities include those where the following operations occur:

Only pre-packaged foods are available or served in the facility, and any potentially hazardous foods available are commercially pre-packaged in an approved processing plant;

Only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or

Only beverages (alcoholic and non-alcoholic) are served at the facility.



# KEEPING/REVISED PART 750

# FOOD SERVICE SANITATION CODE



## 750.10 Definitions

- **Certified food service manager or supervisor** - means a person certified in compliance with Section 750.540.
- **Cottage food operation** - means a person who produced or packages non-potentially hazardous food in compliance with Section 4 of the Food Handling Regulation Enforcement Act.
- **Entity** - means a business, non-profit organization, institution or certified local health department.
- **Food employee or Food handler** - means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. "Food employee" or "food handler" does not include unpaid volunteers in a food establishment, whether permanent or temporary.

# KEEPING/REVISED PART 750

# FOOD SERVICE SANITATION CODE



- **750.10 Definitions**

- **Hazard Analysis Critical Control Point Program or HACCP** - means a food safety management system to identify, evaluate and control food safety hazards
- **Potentially hazardous food** - means time/temperature control for food safety.
- **Proctor** - means a person who is approved by a national examination provider to administer examinations and who monitors students during an examination.

# KEEPING/REVISED PART 750

# FOOD SERVICE SANITATION CODE



- **750.10 Definitions**

- **Restaurant** - means any business, or type of food service establishment, that is primarily engaged in the sale of ready-to-eat food for immediate consumption. For the purpose of this definition, "primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor. (Section 3.06 of the Food Handling Regulation Enforcement Act)
- **Voluntary inspection** - means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.



# KEEPING/REVISED PART 750

## FOOD SERVICE SANITATION CODE



- **750.110 Special Requirements (no changes)**
  - Game Animals
  - Food for People in Need (Charitable/NFP)
- **750.500 General – Employee Health (see agenda)**
  - Report Symptoms/Illness
  - Exclude/Restrict Ill Employees

# SECTION 750.500 GENERAL - EMPLOYEE HEALTH

a) The permit holder shall require employees and conditional employees to report to the person in charge information about their health and activities as they relate to diseases that are transmissible through food. An employee or conditional employee shall report the information within 24 hours and in a manner that allows the person in charge to reduce the risk of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the employee or conditional employee:

1) Has any of the following symptoms:

- A. Vomiting,
- B. Diarrhea,
- C. Jaundice,
- D. Sore throat with a fever, or
- E. A lesion containing pus such as a boil or infected wound that is open or draining and is:
  - i. On the hands, wrists or forearms
  - ii. On other parts of the body, other than hands or forearms, unless the lesion is covered by a dry, durable, tight-fitting bandage;

2) Has an illness diagnosed by a health care practitioner due to:

- A. Norovirus,
- B. Hepatitis A Virus,
- C. *Shigella* spp.,
- D. Shiga toxin-producing *Escherichia coli*,
- E. *Salmonella* Typhi; or
- F. nontyphoidal *Salmonella*;

# SECTION 750.500 GENERAL - EMPLOYEE HEALTH

- 3) Had a previous illness, diagnosed by a health care practitioner, within the past three (3) months due to *Salmonella* Typhi;
- 4) Has been exposed to, or is the suspected source of, a confirmed disease outbreak, because the employee or conditional employee consumed or prepared food implicated in the outbreak, or consumed food at an event prepared by a person who is infected or ill with:
  - A. Norovirus within the past 48 hours of the last exposure,
  - B. Shiga toxin-producing *Escherichia coli*, nontyphoidal *Salmonella* spp. or *Shigella* spp. within the past three (3) days of the last exposure,
  - C. *Salmonella* Typhi within the past 14 days of the last exposure, or
  - D. Hepatitis A virus within the past 30 days of the last exposure;
- 5) Has been exposed by attending or working in a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual disease outbreak, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:
  - A. Norovirus within the past 48 hours of the last exposure,
  - B. Shiga toxin-producing *Escherichia coli*, nontyphoidal *Salmonella* spp. or *Shigella* spp. within the past three (3) days of the last exposure,
  - C. *Salmonella* Typhi within the past 14 days of the last exposure, or
  - D. Hepatitis A virus within the past 30 days of the last exposure;



# SECTION 750.500 GENERAL - EMPLOYEE HEALTH

- b. The person in charge shall notify the regulatory authority within 24 hours (i.e. within eight (8) regularly scheduled business hours after receiving the report) when an employee is:**
  - 1) Jaundiced, or**
  - 2) Diagnosed with an illness due to a pathogen as specified under (a)(2)(A-F).**
- c. The person in charge shall ensure that a conditional employee:**
  - 1) Who exhibits or reports a symptom, or who reports a diagnosed illness as specified under (a)(1-3), is prohibited from becoming an employee until the conditional employee meets the criteria for the specific symptoms or diagnosed illness as specified under (f); and**
  - 2) Who will work as an employee in a food establishment that serves a highly susceptible population reports a history of exposure as specified under (a)(4-5), is prohibited from becoming an employee until the conditional employee meets the criteria as specified under (f).**

# SECTION 750.500 GENERAL - EMPLOYEE HEALTH

- b. The person in charge shall ensure that an employee who exhibits or reports a symptom, or who reports a diagnosed illness is:
  - 1) Excluded as per the Control of Communicable Diseases Code; or
  - 2) Restricted as per the Control of Communicable Diseases Code.
- c. An employee or conditional employee shall report to the person in charge the information as specified under (a).
- d. An employee shall:
  - 1) Comply with an exclusion as per the Control of Communicable Diseases Code and not work in any food establishment while complying.
  - 2) Comply with a restriction as per the Control of Communicable Diseases Code.
  - 3) Comply with specimen collection for contact with case as per the Control of Communicable Diseases Code.

# KEEPING/REVISED PART 750 FOOD SERVICE SANITATION CODE



- **750.1800 & 750.540 – FSSMC (no changes, except CFP)**  
Conference for Food Protection – Standards for Accreditation of  
Food Protection Manager Certification Programs
- **750.3400 – Food Handler Training (no changes)**
- **750.4000 – Farmers' Markets - Food Product Sampling  
Handler - Effective July 20, 2015**
- **Currently developing Temporary Food Rules**



# SUBPART N: FARMERS' MARKETS

## Food Product Sampling Handler Certificate for Farmers Markets

Any vendor at a farmers market that would like to sample their product (fruits, vegetables, baked goods, meat, etc.) can do so without a separate permit from the local health department, as long as they have a valid Illinois Farmers Market Food Product Sampling Handler Certificate.

This certificate can be used throughout the state and is valid for three (3) years from date of issuance.



Questions? - [dph.food@illinois.gov](mailto:dph.food@illinois.gov)



"I'll have whatever you serve the health inspector."



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